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Attorneys for Plaintiffs:
ASSOCIATION OF AMERICAN RAILROADS and
AMERICAN SHORT LINE AND REGIONAL
RAILROAD ASSOCIATION

[Additional counsel listed in signature block]

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

ASSOCIATION OF AMERICAN
RAILROADS and AMERICAN SHORT LINE
AND REGIONAL RAILROAD
ASSOCIATION,

Plaintiffs,

v.

LIANE M. RANDOLPH, in her official
capacity as Chair of the California Air
Resources Board; JOHN EISENHUT, SUSAN
SHAHEEN, JOHN R. BALMES, DIANE
TAKVORIAN, BILL QUIRK, DEAN
FLOREZ, HECTOR DE LA TORRE,
DAVINA HURT, V. MANUEL PEREZ, ERIC
GUERRA, NORA VARGAS, TANIA
PACHECO-WERNER, GIDEON KRACOV,
HENRY STERN, and EDUARDO GARCIA,
in their official capacities as members of the
California Air Resources Board; STEVEN S.
CLIFF, in his official capacity as Executive
Officer of the California Air Resources Board;
and ROB BONTA, in his official capacity as
Attorney General of the State of California

Defendants.

Case No. 2:23-cv-01154-JAM-JDP

**STIPULATION AND ORDER TO
WAIVE SERVICE AND SET
DEADLINE FOR RESPONSIVE
PLEADINGS**

Judge: Hon. John A. Mendez

1 Plaintiffs ASSOCIATION OF AMERICAN RAILROADS and AMERICAN SHORT
2 LINE AND REGIONAL RAILROAD ASSOCIATION (collectively, “Plaintiffs”) and
3 Defendants LIANE M. RANDOLPH, in her official capacity as Chair of the California Air
4 Resources Board; JOHN EISENHUT, SUSAN SHAHEEN, JOHN R. BALMES, DIANE
5 TAKVORIAN, BILL QUIRK, DEAN FLOREZ, HECTOR DE LA TORRE, DAVINA HURT,
6 V. MANUEL PEREZ, ERIC GUERRA, NORA VARGAS, TANIA PACHECO-WERNER,
7 GIDEON KRACOV, HENRY STERN, and EDUARDO GARCIA, in their official capacities as
8 members of the California Air Resources Board; STEVEN S. CLIFF, in his official capacity as
9 Executive Officer of the California Air Resources Board; and ROB BONTA, in his official
10 capacity as Attorney General of the State of California (collectively, “Defendants”), by and
11 through their attorneys of record, hereby stipulate and agree as follows:

- 12 1. Plaintiffs filed their Complaint in this matter on June 16, 2023. ECF No. 1.
- 13 2. Plaintiffs served Attorney General Rob Bonta on June 16, 2023.
- 14 3. The remaining Defendants agree to waive service of process of Plaintiffs’
15 Complaint.
- 16 4. Defendants retain all defenses or objections to the lawsuit, the Court’s jurisdiction,
17 and the venue of the action, except for objections to the absence of a summons or of service.
- 18 5. The Parties agree that all Defendants, including Attorney General Rob Bonta, will file and
19 serve their response(s) to the Complaint by **August 21, 2023**.
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Dated: June 28, 2023

Respectfully submitted,

By: /s/ Hayes P. Hyde

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Attorneys for Defendants

ORDER

IT IS SO ORDERED.

Dated: June 28, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE